

ORIGINAL

FILED

September 11 2009

IN THE SUPREME COURT OF THE STATE OF MONTANA

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

No. DA 09-0402

STATE OF MONTANA,

Plaintiff and Appellee,

v.

ROBERT HOUGHTON,

Defendant and Appellant.

FILED

SEP 11 2009

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

**MOTION FOR EXTENSION OF TIME**

COMES NOW, Kelli S. Sather, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until October 13, 2009, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 11th day of September, 2009.

OFFICE OF THE STATE PUBLIC DEFENDER  
Appellate Defender Office  
301 South Park, Room 568  
P.O. Box 200145  
Helena, MT 59620-0145

By:   
KELLI S. SATHER  
Assistant Appellate Defender

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and accurate copy of the foregoing

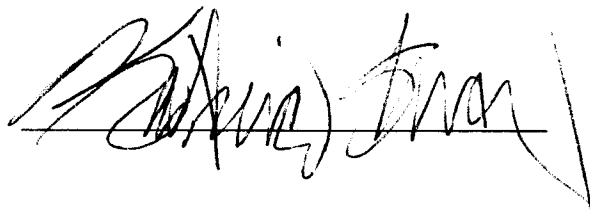
Motion for Extension of Time to be mailed to:

STEVE BULLOCK  
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Helena, MT 59620-1401

MARTY LAMBERT  
Gallatin County Attorney  
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Bozeman, MT 59715

ROBERT HOUGHTON 3002846  
Montana State Prison  
700 Conley Lake Road  
Deer Lodge, MT 59722

DATED: September 11, 2009

A handwritten signature in black ink, appearing to read "Shirley Fran", is written over a horizontal line.